

PLANNING BOARD MEETING

TIPP CITY, MIAMI COUNTY, OHIO

April 8, 2008

Meeting

Chairman Mike McFarland called this meeting of the Tipp City Planning Board to order at 7:30 p.m.

Roll Call

Roll call showed the following Board members present: Mike McFarland, John Berbach, Bryan Blake, and Mark Springer.

Others in attendance: City Planner/Zoning Administrator Matt Spring, Notary Kimberly Patterson, and Board Secretary Marilyn Fennell. Those signing the guest register included Asad Malik, Alan Cohen, George Timmer, Dennis Elliott, Randy Willson, Jeremy Carter, Tim Bagsa, Bob Willson, David Glaser, Carolyn Glaser, Vincent Staub Jr., Joe Bagi, and Farooq Chaudhry. Nancy Bowman of the *Dayton Daily News* was also in attendance.

Motion to excuse
Board Member

Mr. Blake **moved to excuse Mr. Horrock's** absence. Mr. Berbach seconded the motion. Motion carried 4-0.

Approval of Minutes
March 11, 2008
Meeting

Mr. Berbach **moved to approve the minutes of the March 11, 2008 meeting as presented.** Mr. Springer seconded the motion. Motion carried 3-0-1. Mr. McFarland abstained due to his absence.

**Items not on the
Agenda**

There were no comments on items not on the agenda.

NEW BUSINESS
Deadline Dates

Chairman McFarland announced that the next regularly scheduled Planning Board meeting would be held Tuesday, May 13, 2008. Preliminary Plans, Final Plats and Site Plans must be submitted by 5:00 p.m. on April 21, 2008 and temporary sign requests for display over 30 days must be submitted by 5:00 p.m. on April 30, 2008.

Public Hearing: City
of Tipp City, Northgate
Commerce Center,
Final Plat for Sections
2 & 3

Mrs. Patterson swore in those wishing to give testimony during the public hearing. Mr. Blake **moved to open the public hearing.** Mr. Springer seconded the motion. Motion passed 4-0.

Mr. Spring said there were modifications to the record plans for Sections 2 & 3 on the dais for each member. The changes were on Page 1 of each section and the protective covenants and restrictions were included. The City is requesting approval for the Final Plat of the Northgate Commerce Center, Sections 2 & 3. The Final Plat is being proposed as the result of a cooperative project between the City of Tipp City and the owners of the Northgate Commerce Center Industrial Park to develop "shovel-ready" industrial sites within Tipp City. It will create 7 new Inlots of record and will facilitate the construction of extensions to the north and a portion southerly Kinna Drive. There will be 2,006.16 linear feet of right-of-way constructed. It will include the required excavation, grading, drainage, paving and curbing plus all other infrastructure improvements. These improvements will reduce the time it takes a company to begin construction of a new facility. These shovel-ready sites should create opportunities for economic development for Tipp City.

Mr. Spring said the primary impetus for this \$1.06 million project is being facilitated by a \$500,000 Industrial Site Improvement Fund (ISIF) Grant from the State of Ohio, with the owners, Gateway Center Development, LLC) providing \$281,000 and the City of Tipp City providing \$279,000 in matching funding.

Mr. Spring continued noting the different building lot sizes and right-of-way in each section totaling 50.537 acres in Section Two and 39.921 acres in Section Three.

The City is the recipient of the ISIF grant as the developer of the project. The City has provided for the issuance of and sale of notes in the maximum principal amount of \$1.1 million, in the anticipation of bonds for the purpose of paying the costs of this project.

Mr. Spring said the Miami County Tax Map Department has reviewed the proposed Final Plats for accuracy, but not yet provided final approval. Staff recommended approval with the following conditions:

1. Any minor drafting changes are made in accordance with the requirements of the Miami County Tax Map Department.
2. That the construction schematics would be modified to the approval of the City Engineer.

Mr. Springer asked how the City would recoup its money, \$279,000. Mr. Spring said it is part of our capital improvement costs; the City is making an investment so that ultimately that new businesses would bring income tax to the City. Mr. Springer asked if another developer could ask for the same thing. Mr. Spring said this came about due to the State grant that was received. Mr. McFarland asked for comments from those sworn in. There were no comments.

Mr. McFarland **moved to close the public hearing.** Mr. Berbach seconded the motion. Motion passed 4-0. Mr. McFarland **moved to recommend approval of the Final Plats for Sections 2 and 3 for Northgate Commerce Center per the staff report notes.** Mr. Blake seconded the motion. Motion passed 4-0.

Mr. McFarland started to introduce the next item of business. Mr. Robert Willson said he wished to address the last topic and that he had not heard Mr. McFarland when he asked for comments. Mr. McFarland said he asked for those comments and that item had been acted upon and that Mr. Willson could make his comments to City Council when they consider the matter.

Mr. Randy Willson asked if the Board approved a site plan. Mr. Spring corrected him in that it was not a site plan, it was a recommendation to City Council that they would approve the Final Plat for Sections Two and Three. Mr. Robert Willson said he owns 35 acres along Main Street, S. Weller Drive that he understood that there were to be no other entrances off Main Street and he has been unable to put in a drive to his property. He had a letter that he wished to give to the Board and staff objecting that Weller Drive stop at his property. His concern that his property is landlocked now with no way to get to his property. Mr. Spring said this project won't go to SR 571. Mr. Willson said he suggested that Weller Road be run back and tied into the county. Mr. Spring said the City's Thoroughfare Plan shows Kinna Drive will run

north/south directly tying into the new intersection at Main and Kinna. Mr. Willson asked if there had been any thought to a road that will go nowhere. Mr. Spring said that was not the case. There have not been any plans to construct that portion at this time as that is driven by development. Mr. Randy Willson said Weller needs to be extended. Mr. Spring said he did not disagree with that statement but it will happen when the land is developed. The City will not build the road. Mr. Willson asked about the grant that the City just received. Mr. Spring said that was for Industrial property and that the Willson property is zoned Highway Service.

Mr. Blake said these were all great comments and Council would want to hear them but the Master Plan has been worked on and approved by many and that is what the Planning Board has as a tool. The Planning Board looks at projects as they come to the Board and see how they fit into the Plan. Council has the ultimate approval on such projects. Mr. Willson brought his letter from 2002 to the secretary for distribution.

Bruns Industrial Park,
Pre-App Sketch & Set
Public Hearing

Mr. Spring stated the applicant's engineer is still working on the study and they wish to keep this matter tabled. Mr. McFarland said it would remain tabled until the next meeting.

David & Carolyn
Glaser, 1330 E.
Evanston Rd. & 6570
S. Tipp-Cowlesville
Rd., Inlots 4043 &
4044-Pre-Application
Sketch

Mr. Spring said the applicants are requesting Board approval for the subdivision of properties located at these 2 locations. The property is zoned both R-1 and R-1A. The existing two lots would be divided into 3 new inlots of record. The breakdown is as follows:

- | | | |
|----|---|------|
| 1. | 2.6018 acres (1330 E. Evanston Road) | R-1 |
| | Inlot 4043 | |
| 2. | 1.0611 acres (6570 S. Tipp Cowlesville Road) | R-1 |
| | Inlot 4044 | |
| 3. | 0.5881 acres (frontage on S. Tipp-Cowlesville Road) | R-1A |
| | Inlots 4043 & 4044 | |

He continued that the pre-application sketch meeting is for discussion before the preliminary plat is submitted. He continued that the current Thoroughfare Plan indicates that S. Tipp-Cowlesville Road and E. Evanston Road shall be "Minor Arterials of 70' right-of-way width. The constructions requirements (Code §155.107(D) state:

Official thoroughfare construction requirements. In cases in which a proposed thoroughfare, as shown on the Official Thoroughfare Plan, abuts or crosses the proposed subdivision, the subdivider shall be responsible for all required improvements, including the required pavement width on an undivided street. In the case of a divided street, the subdivider shall be responsible for the sidewalk, one curb, one pavement 37 feet in width measured from curb back to curb back, and storm drainage. Certain improvements may be waived on review and approval by the Planning Board; however, right-of-way dedication shall be required in all cases.

Mr. Spring then stated Code §155.095(A) states: *The improvements which are required shall be prepared by a registered civil engineer and installed by the subdivider in accordance with the provisions of these regulations and other regulations of the city and state. These improvements shall be*

installed before the final plat is approved (i.e., through conditional approval); or in lieu thereof, a bond, letter of credit, or an escrow agreement as described in § 155.102, certified by the city's Legal Counsel as valid and enforceable by the city, may be accepted and shall be approved before approval of the final plat. Such guarantee would secure to the city the actual construction, installation, and initial maintenance of such improvements within a time required by the construction agreement and according to the approved improvement plans.

He continued that the subdivider may execute and file guarantees with the City in lieu of actual installation or completion of the required improvements when requesting approval of the final plat. The Planning Board may waive the above noted requirements, under Code §155.132:

The Planning Board may grant a modification to these regulations, as specified herein, where unusual or exceptional factors or conditions require such modification, provided that the Planning Board shall:

- (A) Find that unusual topographical or exceptional physical condition exists.*
- (B) Find that strict compliance with these regulations would create an extraordinary hardship in the face of the exceptional conditions.*
- (C) Permit any modification to depart from these regulations only to the extent necessary to remove the extraordinary hardship.*
- (D) Find that any modification granted will not be detrimental to the public interest nor in conflict with the intent and purpose of these regulations.*
- (E) Require such other conditions to be met by the proposed plat as the Planning Board may find necessary to accomplish the purposes of these regulations when modified.*

Mr. Spring said due to the required thoroughfare construction requirements approval from City Council is required and thus mandate the full subdivision process (Pre-Application Sketch, Preliminary Plat, and Final Plat) for this request. This case differs from previously considered subdivisions in that the proposed subdivision is not leapfrog development. The proposed subdivision would not be required to install water, sanitary sewer, storm sewer, and/or electric as these utilities have already been previously installed and are available.

He said beyond the required dedication of right-of-way, the applicant is unwilling to construct and/or bond the required improvements to E. Evanston Road and S. Tipp-Cowlesville Road if the Planning Board is unwilling to waive the thoroughfare requirements. If the Planning Board is willing to waive the thoroughfare construction requirements, the applicant will be required to promulgate a Preliminary Plat. Any waiver by the Planning Board of the required thoroughfare construction requirements will only be a recommendation to City Council, who will ultimately make a final decision on the proposed subdivision.

Mr. Spring recommended Planning Board provide the applicant

a clear indication of their intention to provide or not provide a recommendation to City Council to waive the thoroughfare construction requirements required per Code §155.107(D) during the approval of the Final Plat. If the Planning Board is willing to recommend a waiver of the construction requirements no specific action is required for the Pre-Application Sketch but a motion one way or the other will provide a clear guidance for the applicants. A Public Hearing for May 13, 2008 could be set to consider the Preliminary Plan for this subdivision.

Mr. Spring then read an e-mail that was sent this date from City Engineer Vagedes regarding this matter. (Attached) He also added that it would be prudent to remind the Board that the City and the Planning Board are involved in an ongoing litigation with a similar subdivision request and during the deposition for this litigation the request from Tom Sylvester was brought up by opposing counsel as a basis for challenging the legitimacy of the Planning Board's decision. Planning Board decisions that run contrary to the standard requirements of code create precedence that may encourage other developers to follow suit and can also undermine the City's position for any future litigation.

Staff recommended that full compliance with the thoroughfare construction requirements be required by the Planning Board in accordance with Code with no waiver of the required construction requirements and their associated costs. Planning Board should provide to the applicant a clear indication of their intention one way or the other. If the Board is willing to waive the thoroughfare construction requirements to Council, staff notes that Code does not specifically require action of this Pre-Application Sketch, however a motion one way or the other will provide clear guidance for the applicants. A public hearing should be set for the May 13, 2008 meeting to consider the Preliminary Plat for this subdivision. He said he would address any question the Board had and Mr. Glaser was in attendance.

Mr. Springer said he has 2 lots that he wants to create 3 lots from. The choice is that he goes thru the process as a major subdivision or looking for a waiver to pass on the requirements. Mr. Spring said in either case, Planning Board does not have the ability to waive the requirement that the owner donate the right-of-way, so if Planning Board would waive all the thoroughfare construction requirements it will still have to go thru the Preliminary Plat and Final Plat stages because ultimately it will have to go to Council for approval. Mr. Springer said along the south side of Evanston Road, there is a unique situation, with City, Township, City; it is not a contiguous flow. In looking at other properties, York Meadows and Hunter's Ridge did the improvements and on the north side, there were improvements with no sidewalks at Sycamore Woods and the I-75 bridge. Mr. Spring said that was correct.

Mr. David Glaser came to the podium. He said he bought the property in 1977 and has been there since. He thought he would like to retire to a ½ acre lot instead of doing all the mowing he does now. He annexed into the city thinking he could do so. He was told he would need to do all the improvements. He figures it will cost around \$400,000 for the improvements and for a \$30,000 lot, he will have to spend that much. He didn't think that was right. He didn't think it was a subdivision, only one lot.

Mr. Blake asked if he had any estimates on the work that would

Bruns General
Contracting for Tip Top
Canning, 505 S.
Second St, OL 49, Pt
OL 50 & Pt OL 56- Site
Plan Approval

need to be done. Mr. Glaser said he had not but he guessed it would be \$400,000. Mr. Berbach said this is somewhat similar to the Kerr Road application splitting one lot into two and he felt strongly about his vote then. He understands staff's position and he has seen the other upgrades. He did not think the construction requirements should be waived. Mr. Springer said he agreed. It is a beautiful lot but knowing that the Board needs to enforce the code and to deviate from that and put the City in danger of litigation is not proper. He might be willing to waive sidewalks. Mr. Blake said he agreed with Mr. Springer but without estimates he could not waive the construction requirements.

Mr. Randy Willson asked if the City got a grant to do sidewalks and curbs then would you let him do it. Mr. McFarland asked him to come forward to make his comments. Mr. Willson said that road needs improved as it is highly travelled. Mr. Blake said he thought that is in the Plan. Mr. Springer asked if Evanston was in the Comprehensive Plan in the next 5 years or so. Mr. Spring said he would have to pull his copy.

Mr. McFarland said the Board's hands are tied at this point without all the information and based on code. He **moved to forward a negative recommendation to the applicant that the thoroughfare construction requirements be waived.** Mr. Berbach seconded the motion. Mr. Berbach asked if a public hearing is still needed. Mr. Spring said a hearing could be set and the applicant can decide if he wishes to proceed. He could make a formal request to withdraw the hearing in writing. Mr. McFarland asked for roll call. Motion passed 4-0.

Mr. Berbach asked Mr. Glaser if he wished to proceed with a Preliminary Plat for the next meeting. Mr. Glaser said he would work that up and get with City staff. Mr. Berbach **moved to set a public hearing for May 13, 2008 for the Glaser Preliminary Plat, 1330 E. Evanston Road and 6570 S. Tipp-Cowlesville Road.** Mr. Blake seconded the motion. Motion passed 4-0.

Mr. Spring said the applicant is wishing to make a 51,820 sq. ft. addition to Tip Top Canning. The expansion will also include upgrading the off-street parking and loading area as well as landscaping and lighting to meet the existing code requirements. The access will be via the existing ingress/egress approach on E. Elm Street at Second Street. No changes are proposed for access to the facility.

The off-street parking facilities incorporated both the warehouse and the office elements. The warehouse requires 51 spaces and the office requires 19 for a total of 70. Two handicapped spaces are also required. The plan proposes 62 spaces including 2 handicapped spaces. Therefore the applicant is requesting that Planning Board reduce the required number of off-street spaces by 8 or 11%. Code does allow the Board to reduce the total number of required spaces by as much as 15% (11 spaces). If the Board approves the site with the reduction the developer shall enter into a written agreement with the city that any time after one year following the issuing of the last occupancy permit, the additional parking spaces shall be proved if the Zoning Administrator determines they are necessary, [Code §154.078(H)(4)]. Thus Mr. Timmer, property owner, will be required to enter into this agreement for the reduction of the off-street parking.

The lot lighting will be maintained at an average of 2.7 lumens per square foot of parking area. Code requires a minimum of 2 lumens with shields installed as necessary. The beam spread shall be designed

so the effect on adjacent properties shall be minimal. The beam spread of the light fixtures shall also be designed so as not to appear as glare from the right-of-way.

Mr. Spring said code requires that industrial uses provide one loading space for every 10,000 square feet of gross floor area. The total floor area of the warehouse portion of the facility is 168,889. Therefore the facility shall provide 17 off-street loading spaces. The existing facility has 5 loading spaces. Twelve additional spaces are being proposed, thus a total of 17.

The current dumpster facility is located near the northwest corner of the off-street parking area. The applicant will provide a 17' x 28' (6' tall) board-on-board fence screen as required by code. The landscaping plan has been provided which delineates the existing and the proposed landscaping and the required type "A" buffer. The buffer is required when an industrial district is adjacent to a residential district. The property is adjacent to residential to the west and the south (S. Third and Wilhelm St.). The applicant requests Planning Board to approve two options for accomplishing the required buffer, planting 295 Arborvitae (6' tall) or 6' tall wood privacy fence. There is an existing 8' chain link fence with barbed wire along the property perimeter. The Type A buffer will be installed inside the existing fencing with enough clearance to allow for mowing, maintenance, etc.

Mr. Spring said the storm water calculations and drainage plan have been reviewed and approved by the City Engineer. All roof drainage will be piped to the detention basin. Prior to final occupancy certificate, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City's rules and regulations.

The facility is to meet the internal circulation pattern requirement for design, construction standards, surfacing, wheel stops and markings. The applicant has requested that the required 6" curbing be waived by Planning Board.

Mr. Spring continued that the required side and rear yard setbacks are 100 feet when a General Industrial District abuts a Residential District. There were two variances granted on March 19, 2008. 1) The proposed addition will be 74.45' from the rear property line (25.55' variance granted). 2) The proposed addition will be 54' from the western property line, (46' variance granted).

Mr. Spring said a separate Zoning Compliance Certificate will be required for any signage, subject to approval and is not included with this site plan.

Staff recommended approval of the site plan with the following conditions:

1. That any minor drafting errors shall be corrected by the applicant and approved by City staff.
2. That the Planning Board authorizes a reduction in the required number of off-street parking spaces from the 70 required spaces to the 62 provided spaces contingent upon the applicant entering into a written agreement regarding said reduction in off-street parking per §154.078(H)(4), prior to the issuance of a Zoning

- Compliance Permit.
3. Planning Board authorizes the utilization of 295 Arborvitae (6' tall) **OR** Wood privacy fence (6' tall) for the required Type "A" buffer abutting all residentially zoned property as delineated in this staff report.
 4. Prior to the issuance of a Final Certificate of Occupancy by the City of Tipp City, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City of Tipp City rules and regulations.
 5. Planning Board authorizes a waiver of the required 6" curbing for the off-street parking area as noted in Code §154.074(I)(3)(b).
 6. Prior to the commencement of construction, the applicant must obtain an approved Zoning Compliance Permit from the City of Tipp City, plus all required Building Permits from Miami County.
 7. Prior to the commencement of construction, the applicant and all applicable contractors and subs will participate in a pre-construction meeting with City staff.
 8. The applicant must obtain authorization/approval from the Planning Board for any proposed modifications to the approved site plan **prior** to the construction or undertaking of any such proposed modifications

Mr. Springer asked the height of the addition. Mr. Jeremy Carter of Bruns Contracting said the height was the same as the current facility, 28'. Mr. Blake asked if this addition was going in where they park the trucks. Mr. Carter said that was correct. Mr. Berbach asked if there had been public comment at the Board of Zoning Appeals hearing. Mr. Springer said the City is required to notify all surrounding property owners and he had received two phone calls. One from Wilhelm St and that citizen had no issues. The other was from Third Street and he was not against the variance but his concern was about noise. Mr. Springer said that was addressed at the meeting and the applicant felt most of the noise would be reduced due to operations being moved inside. The gravel will also be converted to pavement. Mr. Blake asked the use of the building. Mr. Carter said it was for storage of the product.

Mr. McFarland said the request to not use the 6" curbing is one that the Board has considered before. Usually when that curbing is waived, the use of parking blocks is required. Mr. Springer said bumper blocks are shown on the drawing. Mr. Carter said they are shown where the parking is up against the building. He said they would be around the perimeter although that was not proposed. Mr. McFarland said the Board has been pretty consistent with the use of blocks when curbing has been waived. Mr. Springer asked about the turning radius. Mr. Carter said there would be no problem with the blocks along the edges, but not in the center. Mr. McFarland said he agreed with that but recommended that the blocks be placed around the perimeter. Mr. Blake asked where the detention basin was located. Mr. Carter said it was at the rear of the building opposite of the parking lot. Mr. Springer said that is the southeast corner.

Mr. Springer asked Fire Chief Kessler if there were any problems with egress for fire protection. Chief Kessler said there were no problems. There being no further questions, Mr. McFarland **moved**

Farooq Chaudhry,
Tippster Hotels, 1100
W. Main St., IL 3606-
Site Plan Approval

to approve the site plan with the conditions listed in the staff report, with the exception on #5, that parking blocks be required on the perimeter of the parking lot. Mr. Berbach asked if this included the off-street parking number reduction. Mr. Spring said that was included in the motion. Mr. Berbach seconded the motion. Motion passed 4-0.

Mr. Spring explained that the applicant is seeking approval for the construction of a new 44,314 square foot hotel located at 1100 W. Main St. which is the current location of the Travelodge Motel. If approved the existing structure will be razed upon approval of the required demolition permit. The proposed 3-story hotel will have 77 total rooms including 21 suites. It will have an indoor pool & hot tub, elevator, fitness center and meeting room. The existing Holiday Inn Express, 19 Weller Drive, will be changing names/ownership to La Quinta Inn.

Mr. Spring said the access to the hotel will be off West Main St. via S. Weller Drive. The off-street parking requirements are one for each room or suite plus one space for every three employees on the largest work shift plus one space per three persons to the maximum capacity of each public meeting and/or banquet room. The hotel will include 77 total rooms, four total employees on the largest shift, 12 persons at maximum capacity in the meeting room. Therefore the required number of off-street parking spaces would be 81. It must also provide a minimum of two handicapped spaces. The site plan proposes 84, including 4 handicapped spaces; therefore it exceeds the total requirements for standard and handicapped accessible parking.

Mr. Spring said the lot lighting will maintained at an average of 2.5 lumens per square foot of parking area. It will range from 0.0 lumens to 15.2 lumens/sq. ft. Shields must be installed as necessary. The beam spread shall also be designed so as not to appear as glare from the public right-of-way.

Off-street loading will be located under the canopy of the primary entrance to the hotel. The applicant has indicated that once the hotel has opened, only Fed-Ex type box trucks will be making deliveries.

The dumpster facility will be a dumpster and pad located on the southern area of the off-street parking area. It will have a 10' x 20' (6' tall) brick fence screen. The landscaping plan was also attached. The 81 off-street parking spaces require 810 sq. ft. of interior parking lot landscaping. The proposed 9 landscape islands provide a total of 2,940 sq. ft. The plant beds will be covered with 4" of pine mulch with the remaining unpaved area to be lawn. It will include an in-ground automatic sprinkler system.

Mr. Spring continued that the site grading plan, drainage, and storm water detention plans and calculations have been reviewed and approved by the City Engineer. The storm water will be detained on site in a detention basin located in the southeast portion of the property. The detained water will then be discharged to the south via storm sewer pipes and an open drainage swale onto Northgate Commerce Center property to an existing stream. Staff noted that permission and a private easement shall be required to be obtained from the Northgate Commerce Center. He also noted prior to the issuance of a Final Certificate of Occupancy by the City, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City of Tipp City

rules and regulations.

The facility will meet the internal circulation pattern requirements per Section §154.070-§154.080 for design, construction standards, surfacing, wheel stops, and markings.

Mr. Spring said the setbacks are as follows:

	Required	Provided
<u>Orientation</u>	<u>Setback</u>	<u>Setback</u>
Front (Main/S. Weller)	50'	90'
Side (Tipp 'O the Town)	30'	31.17'
Side (North Gate Commerce Center)	30'	32.70'
Rear (North Gate Commerce Center)	none	51.91'

The structure will be 48'-6" in height; maximum permitted is 50'.

Mr. Spring said a separate Zoning Compliance Certificate will be required for any sign, subject to approval and is not included with this site plan.

To conclude, Mr. Spring said staff recommends approval of the site plan with the following conditions:

1. That any minor drafting errors shall be corrected by the applicant and approved by City staff.
2. That the Engineer sign the construction plans in accordance with the Ohio State Board of registration for Professional Engineers and Surveyors letter dated February 29, 2008.
3. Prior to the issuance of an approved Zoning Compliance Permit, the applicant must provide the City with a copy of the required permission and easement for discharge of storm water on the Northgate Commerce Center property.
4. Prior to the issuance of a Final Certificate of Occupancy by the City of Tipp City, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City of Tipp City rules and regulations.
5. The applicant must obtain the required OEPA storm water permits prior to the issuance of an approved Zoning Compliance Permit
6. Prior to the commencement of construction, the applicant must obtain an approved Zoning Compliance Permit from the City of Tipp City, plus all required Building Permits from Miami County.
7. Prior to the commencement of construction, the applicant and all applicable contractors and subs will participate in a pre-construction meeting with City staff to make sure contact names & phone numbers are exchanged, an approx. time schedule provided so that we can order/arrange for electric installation, water & sanitary tap-ins, & general inspection, as well as trying to coordinate with Vectren, Verizon, & Cable if needed.
8. The applicant must obtain authorization/approval from the Planning Board for any proposed modifications to the approved site plan **prior** to the construction or undertaking of any such proposed modifications

City of Tipp City,
Hyattsville Park, Pt IL
428 - Site Plan
Approval

Old Business

Miscellaneous
City Council Reports
Board member
comments

Mr. Spring said Mr. Chaudhry and Mr. Malik were available to answer any questions.

Mr. McFarland asked if the 6" curbing was going to be used. Mr. Spring said it was included on the site plan. Mr. Blake asked if the current structure was being demolished. Mr. Malik said that it was. Mr. Berbach asked if all the conditions could be met. Mr. Malik said they are working thru those and the only outstanding issue was the agreement with Northgate Commerce Center and they were working with Mr. Bensman of Northgate. Mr. Blake asked what the timeframe was on the project. Mr. Malik said it should be approximately 7 months. Mr. Blake asked if they owned the building on Weller Drive. Mr. Malik said that was under different ownership. Mr. Springer asked if the current sign was also coming down. Mr. Malik said it would be replaced with a new sign that Holiday Inn is introducing next year. Mr. Berbach asked if he had a copy of the sign ordinance. Mr. Malik said he did have one. Mr. Blake asked if they owned other Holiday Inns. Mr. Malik said they own hotels in Indiana and Michigan.

Mr. Springer verified that Mr. Vagedes has had the opportunity to review the plans. Mr. Spring said this has been an ongoing review and the last revisions were mostly parking space oriented. Mr. Randy Willson asked about the drainage and whether it would run along their property. Mr. Spring said it will be detained on site and then it will be released into the environment as a pre-development rate southerly to the Northgate property, some 775 feet. Mr. Malik thanked Mr. Vath and Mr. Spring for their work with the group and said they had been most cooperative. Mr. Springer **moved to approve the site plan for 1100 W. Main Street, IL 2620, with the 8 conditions listed in the staff report.** Mr. Berbach seconded the motion. Motion passed 4-0.

Mr. Spring said the City was seeking approval for replacement of 70' of fencing at Hyattsville Park. The 6' tall wood privacy fence is to be replaced with 3 ½' tall split rail fencing. It will be located in a similar position on the lot as the previous fencing. Staff recommended approval of the site plan. Mr. McFarland asked why it needed replaced. Mr. Spring said part of it was damaged and needed repair. Ultimately the stone streetscape motif was to be used but funds are not available at this time for that.

Mr. Berbach **moved to approve the fencing for the Hyattsville Park on W. Main Street and N. Hyatt Street.** Mr. Blake seconded the motion. Motion passed 4-0.

There was no Old Business to discuss

Mr. Horrocks will give his reports at the next meeting.

Mr. Blake said it is unfortunate that the Board could not accommodate the property owner on Evanston Road, but there was not the information needed to guide the Board.

Mr. Springer said he agreed but the Board also has to be consistent and follow the code. He also asked if there are any plans to place any fencing behind the gazebo at Veteran's Memorial. Mr. Spring said he would need to look at the plan. Mr. Berbach thought the brick wall was there. Mr. Springer asked if the North Hyatt Street construction project was still on the schedule. Mr. Spring said it was and didn't think

Adjournment

there was anything else coming before this Board on that project.

Mr. McFarland said there are plenty of stakes and paint everywhere on N. Hyatt St. so it is on its way. He also thanked the Board for excusing his absence last month.

There being no further business for discussion, Mr. Blake **moved that the meeting be adjourned**. Mr. Springer seconded the motion. Chairman McFarland declared the meeting adjourned at 8:52 pm.

Michael McFarland, Planning Board Chairman

Attest: _____
Marilyn Fennell, Board Secretary